

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket No. 94-102
to Ensure Compatibility with Enhanced)	
911 Emergency Calling Systems)	

To: Chief, Wireless Telecommunications Bureau

FIFTH SUPPLEMENT TO AMENDED REQUEST FOR TEMPORARY STAY

1. Southern Illinois RSA Partnership d/b/a First Cellular of Southern Illinois ("First Cellular") hereby supplements its "Amended Request for Temporary Stay" ("the Request"), filed September 4, 2002: a) at Paragraph No. 3 to include that it has now received a Public Safety Answering Point ("PSAP") request for Phase II E-911 service for Franklin County, which is in the Illinois 8 – Washington RSA; and b) to include a copy of the PSAP's letter request, dated August 5, 2003, as Attachment F to the Request.

2. This is the fifth PSAP request for E-911 Phase II service received by First Cellular. The first PSAP request was received from Randolph County, as stated in the Request. The second PSAP request was for Saline and Gallatin Counties, as stated in First Cellular's "Supplement to Amended Request for Temporary Stay," filed January 6, 2003. The third PSAP request was for Williamson County, as stated in First Cellular's "Third Supplement to Amended Request for Temporary Stay," filed May 2, 2003. The fourth PSAP request was for Jefferson County, as stated in First Cellular's "Fourth Supplement to Amended Request for Temporary Stay," filed July 22, 2003. The instant supplement does not alter First Cellular's theory of relief, as stated in the Request.

3. By way of background information, the Request was filed pursuant to Section 1.3 of the Rules and the Commission's recent Order to Stay, FCC 02-210, released July 26, 2002 ("Stay Order"), and requests a temporary stay, up to and including September 1, 2003 or the date occurring six months following receipt of a valid PSAP request for Phase II Automatic Location Identification ("ALI") information (whichever is later), of the Rule 20.18(f) requirement that First Cellular provide Phase II service to at least 50% of its coverage area or population by the date specified in the regulation. Under the definitions set forth in the Stay Order, First Cellular is a Tier III carrier providing non-nationwide Commercial Mobile Radio Service. First Cellular intends to implement a network-based Phase II ALI solution.

4. The "Third Supplement to Amended Request for Temporary Stay," filed May 2, 2003 ("the Third Supplement"), recounted the difficulties which First Cellular recently had experienced in its attempt to actually deploy its chosen E-911 Phase II ALI solution. First Cellular's two cellular systems employ switching and base station equipment manufactured by Motorola, Inc. As reported in the Third Supplement, subsequent to the filing of the Request, First Cellular selected TruePosition as its Phase II E-911 ALI equipment vendor based upon TruePosition's representations that its equipment was compatible with the Motorola cellular system equipment deployed throughout First Cellular's network. The Third Supplement also noted that First Cellular had executed the TruePosition-provided contract for the purchase and deployment of the Phase II equipment throughout First Cellular's 24-county service area, irrespective of whether any PSAP requests for Phase II ALI service had been received. As was the case when the Third Supplement was filed, First Cellular still has not been provided with a copy of the

contract executed by TruePosition. As further reported in the Third Supplement, TruePosition later advised that its Phase II E-911 ALI equipment is not compatible with the Motorola cellular system equipment, notwithstanding its prior representations to the contrary made to First Cellular.

5. In a letter dated June 27, 2003, Motorola advised that it had tested and certified a TruePosition network-based Phase II E-911 ALI solution between August 20, 2001 and September 13, 2001. However, it appears that TruePosition decided against commercializing the solution which was the subject matter of the tests, and instead elected to redesign the product. The resulting redesigned product is not compatible with the Motorola equipment. Motorola is continuing to evaluate the matter.

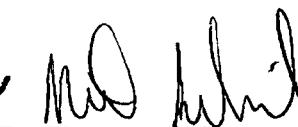
WHEREFORE, good cause shown, First Cellular requests that the requested temporary stay be granted.

Respectfully submitted,

**Southern Illinois RSA Partnership
d/b/a First Cellular of Southern
Illinois**

King City Square
417 South 42nd Street
Mt. Vernon, Illinois 62864
Tel.: 618-244-2355

Dated: ✓ 8-18-03

By: ✓ 
Mike Jaksich, Vice President
Network Operations

Please Direct All Inquiries To:

Robert M. Jackson

Blooston, Mordkofsky, Dickens, Duffy & Prendergast

2120 L Street, N.W., Suite 300

Washington, D.C. 20037

Tel.: 202-828-5515

FAX: 202-828-5568

E-mail: rmj@bloostonlaw.com

5 7 03: 8:22AM:First Cellular MTV
Fax (618) 435-4433

Email fce911@hcis.net

ATTACHMENT F

(618) 439-0911



**Franklin County
Emergency Telephone
System Board**

Post Office Box 1081

903 W. Washington St.

Benton, Illinois 62812

August 5, 2003

First Cellular of Southern Illinois
Attn: Mike Jaksich
King City Square
417 S. 42nd Street
Mt. Vernon, IL 62864

Re: Phase II Wireless

Dear Mr. Jaksich,

Please consider this letter as an official request of the Franklin County Emergency Telephone System Board, which oversees enhanced 9-1-1 operations at the Franklin County Sheriff's Department, the West Frankfort Police Department, and Christopher Central Dispatch. The F.C.E.T.S.B. requests to handle cellular 9-1-1 calls at the Phase II Level of service for the entire county, including the city of Benton, which has a separate land line 9-1-1 system.

We look forward to working with you on implementation of cellular 9-1-1 at the Phase II level of service in Franklin County.

Sincerely,

Troy S. Williams
Coordinator
Franklin County E-911

Cc:
ICC
Steve Wieland, CMS
Dan Cornwell, Emergitech